

Notice of Allowability

Application No.

09/805,196

Examiner

Naresh Vig

Applicant(s)

SMITHIES ET AL.

Art Unit

3629

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication received 01 October 2007.
2. ☒ The allowed claim(s) is/are 22,23,28 and 30-43.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

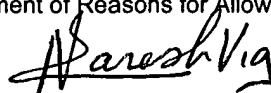
Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____



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DETAILED ACTION

This is in reference to communication received 01 October 2007.

Drawings

The drawings have been approved by the examiner.

Reason For Allowance

The following is an examiner's statement of reasons for allowance:

Applicant's invention is directed to a business (relying party) requiring its client (affirming party) to vocally affirm the closing of a transaction which is recorded and stored on a recording system. In applicant's claimed invention, the business provides a transaction identifier to the recording system, said transaction system associates the received transaction identifier with a recording identifier. Said client also receives the transaction identifier which the client provides to the recording system, and recites the statement of declaration (vocally affirming) which is recorded as a voice message and saved at the recording system. Said recording system associates the recorded voice message with the recording identifier and the transaction, communicates the recording identifier to the affirming party and relying party.

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EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee. Authorization for this examiner's amendment was done following a telephone interview with Victor F. Souto (Reg. No. 33,458) on 19 November 2007.

After the examiner's amendment, amended claims will read as follows.

Claims 1 – 10 Cancelled

Claims 17 – 21 Cancelled

Claims 24 – 27 Cancelled

Claim 22:

A method for recording a solemn declaration, the method comprising:

receiving a transaction identifier at a recording system from a relying party via a first communications network, the transaction identifier identifying a transaction requiring a declaration from an affirming party;

associating the transaction identifier with the relying party at the recording system;

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subsequently, receiving the transaction identifier at the recording system from the affirming to associate the affirming party with the transaction, wherein the transaction identifier has been received by the affirming party prior to the recording system receiving the transaction identifier from the affirming party;

receiving a voice message at the recording system from the affirming party via a second communications network, the voice message including a statement of the declaration required from the affirming party, thereby providing an indication of completion of the transaction;

recording and storing the voice message at the recording system; and
associating a recording identifier with the recorded voice message and the transaction identifier;

communicating the transaction identifier together with the recording identifier to the relying party via a third communications network in response to the indication of the completion of the transaction; and

communicating the recording identifier to the affirming party via a fourth communications network in response to the indication of the completion of the transaction.

Claim 28:

A computer readable medium for storing computer executable instructions for recording consent to a transaction using a voice recording system, said executable instructions comprising:

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receiving a transaction identifier at the voice recording system from a relying party via a first communications network, the transaction identifier identifying a transaction requiring a declaration from an affirming party;

associating the transaction identifier with the relying party at the voice recording system;

subsequently, receiving the transaction identifier at the voice recording system from the affirming party to associate the affirming party with the transaction, wherein the transaction identifier has been received by the affirming party prior to the voice recording system receiving the transaction identifier from the affirming party;

receiving a voice message at the voice recording system from the affirming party via a second communications network, the voice message including a statement of the declaration required from the affirming party, thereby providing an indication of completion of the transaction;

recording and storing the voice message in at the voice recording system;

associating a recording identifier with the recorded voice message, and the transaction identifier;

communicating the transaction identifier together with the recording identifier to the relying party via a third communications network in response to the indication of the completion of the transaction; and

communicating the recording identifier to the affirming party via a fourth communications network in response to the indication of the completion of the transaction.

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Regarding Claims 22 and 28:

Prior art, EasyLink teaches:

Receiving a communication related to a transaction wherein both parties use a transaction identifier to relate the communication to the transaction. The communication recited by one party of the transaction to an operator who types the communication in a text form and forwards the text form of the communication to the other party in the transaction.

Prior art, EasyLink does not teach:

Relying party providing the recording identifier to the recording device.

Recording device associating the transaction identifier with the relying party at the voice recording system;

recording and storing the voice message in at the voice recording system;

associating a recording identifier with the recorded voice message, and the transaction identifier;

communicating the recording identifier of the voice message to the relying party and the affirming party.

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Prior art, Matthews et al. US Patent 4,580,012 teaches:

A voice recording system which has the capability for receiving, recording, storing and providing the recorded voice message to users over the communication network.

Prior art, Matthews et al. US Patent 4,580,012 does not teach:

Relying party providing the recording identifier to the recording device.

Recording device associating the transaction identifier with the relying party at the voice recording system;

recording and storing the voice message in at the voice recording system;

associating a recording identifier with the recorded voice message, and the transaction identifier;

communicating the recording identifier of the voice message to the relying party and the affirming party.

Prior Art Sloo, WIPO Publication WO 9626496 teaches:

Online processing of an order wherein transaction ID and User ID and transactn confirmation request is transmitted to a transaction serverOrder processing. The transaction confirmation server judges whether or not the transaction ID information and user identification information received from the server agree and if they agree, transmits it to the settling means.

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Prior Art Sloo, WIPO Publication WO 9626496 does not teach:

Relying party providing the recording identifier to the recording device.

Recording device associating the transaction identifier with the relying party at the voice recording system;

recording and storing the voice message in at the voice recording system;

associating a recording identifier with the recorded voice message, and the transaction identifier;

communicating the recording identifier of the voice message to the relying party and the affirming party.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Naresh Vig whose telephone number is (571) 272-6810. The examiner can normally be reached on Mon-Thu 7:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Weiss can be reached on (571) 272-6812. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

November 19, 2007



Naresh Vig
Examiner
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